

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

BASKIN-ROBBINS FRANCHISING LLC,)	
BR IP HOLDER LLC,)	
)	
Plaintiffs,)	
)	
v.)	No. 1:24-cv-00293-JRS-CSW
)	
BLU MOO ICE CREAM INC.,)	
ROBERT HOLOCHER,)	
)	
Defendants.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

Magistrate Judge Crystal S. Wildeman submitted her Report and Recommendation on Plaintiff's Motion for Injunctive Relief and Default. The parties were afforded due opportunity under statute and the rules of this Court to file objections; none were filed. Having considered the Report and Recommendation, the Court hereby **adopts** the Report and Recommendation, (ECF No. 22), and **grants** the Motion for Preliminary Injunction, (ECF No. 11).


A separate injunction **shall** issue contemporaneously with this Order. *See* Fed. R. Civ. P. 65(d). The Clerk **shall** enter a default against Defendants.

Federal Rule of Civil Procedure 65(c)'s bond requirement is waived. *See BankDirect Cap. Fin., LLC v. Cap. Premium Fin., Inc.*, 912 F.3d 1054, 1058 (7th Cir. 2019). "There is no reason to require a bond" in a case in which "the court is satisfied that there's no danger that the opposing party will incur any damages from the injunction." *Habitat Educ. Ctr. v. U.S. Forest Serv.*, 607 F.3d 453, 458 (7th Cir. 2010)

(stating "when the reason for a law leaves off, the law leaves off). Here, Defendants have defaulted and they have not otherwise participated in this litigation. Any party may request an injunction bond while this case remains pending.

SO ORDERED.

Date: 05/28/2024



JAMES R. SWEENEY II, JUDGE
United States District Court
Southern District of Indiana

Distribution by CM/ECF to all registered counsel of record

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